

# Senate File 103 - Introduced

SENATE FILE 103

BY GREENE

## A BILL FOR

1 An Act relating to the transfer of investment tax credits  
2 issued to housing businesses under the enterprise zone  
3 program, and including effective date and retroactive  
4 applicability provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2014 Iowa Acts, chapter 1130, section 27, is  
2 amended to read as follows:

3 SEC. 27. INVESTMENT TAX CREDITS ISSUED TO ELIGIBLE  
4 HOUSING BUSINESSES UNDER THE ENTERPRISE ZONE PROGRAM —  
5 TRANSFERABILITY. Notwithstanding the requirement in section  
6 15E.193B, subsection 8, Code 2014, that not more than three  
7 million dollars worth of tax credits for housing developments  
8 located in a brownfield site or a blighted area shall be  
9 eligible for transfer in a calendar year unless the eligible  
10 housing business is also eligible for low-income housing tax  
11 credits authorized under section 42 of the Internal Revenue  
12 Code, and notwithstanding the requirement in section 15E.193B,  
13 subsection 8, Code 2014, that the economic development  
14 authority shall not approve more than one million five hundred  
15 thousand dollars in tax credit certificates for transfer to  
16 any one eligible housing business located on a brownfield  
17 site or in a blighted area in a calendar year, all investment  
18 tax credits determined under [section 15E.193B, subsection 6,](#)  
19 paragraph "a", Code 2014, for housing developments located on  
20 a brownfield site or in a blighted area may be approved by the  
21 economic development authority for transfer in calendar year  
22 2014, or any subsequent calendar year, provided the eligible  
23 housing business was awarded the investment tax credit before  
24 the effective date of this section of this division of this Act  
25 and notifies the economic development authority, in writing,  
26 before July 1, 2014, of its intent to transfer such tax  
27 credits, or provided the eligible housing business was awarded  
28 the investment tax credit before July 1, 2015, for a housing  
29 development located in a blighted area and in a county with  
30 a total population of less than fifty thousand as determined  
31 by the most recent federal decennial census, and submits a  
32 written request to the economic development authority before  
33 October 31, 2017, for approval to transfer such tax credits  
34 and provided the eligible housing business and the related  
35 housing development meet all other applicable requirements

1 under [section 15E.193B, Code 2014](#). Notwithstanding any other  
2 provision of law to the contrary, a tax credit transferred  
3 pursuant to this section shall not be claimed by a transferee  
4 prior to January 1, 2016.

5     Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
6 importance, takes effect upon enactment.

7     Sec. 3. RETROACTIVE APPLICABILITY. This Act applies  
8 retroactively to May 30, 2014.

9                                   EXPLANATION

10                   The inclusion of this explanation does not constitute agreement with  
11                   the explanation's substance by the members of the general assembly.

12     This bill relates to the transfer of investment tax credits  
13 issued to housing businesses under the enterprise zone program.

14     Under current law, the economic development authority  
15 can approve a transfer of an investment tax credit awarded  
16 to a housing business under the enterprise zone program if  
17 an eligible business was awarded the tax credit before May  
18 30, 2014, and notified the authority before July 1, 2014, of  
19 its intent to transfer the tax credit. The bill allows the  
20 authority to also approve the transfer of tax credits that  
21 were awarded to an eligible housing business before July 1,  
22 2015, for a housing development in a blighted area in a county  
23 with a population of less than 50,000, if the housing business  
24 submitted a request for approval to the authority before  
25 October 31, 2017.

26     The bill is effective upon enactment and is retroactive to  
27 May 30, 2014.